



City of El Paso – City Plan Commission Staff Report

Case No: PZRZ14-00039
Application Type: Rezoning
CPC Hearing Date: September 25, 2014
Staff Planner: Andrew Salloum, 915-212-1613, salloumam@elpasotexas.gov

Location: 9850 Socorro Road
Legal Description: A portion of Tract 4C, (also known as Tract 4C2 and 4C1A), Block 52, Ysleta Grant, City of El Paso, El Paso County, Texas
Acreage: 0.9999 acres
Rep District: 6
Current Zoning: A-2/sc (Apartment/special contract) and A-2/H/sc (Apartment/Historic/special contract)
Existing Use: Vacant
C/SC/SP/ZBA/LNC: Special Contract: Ordinance No. 07384 dated December 15, 1981 (see Attachment 4)
Request: From A-2/sc (Apartment/special contract) and A-2/H/sc (Apartment/Historic/special contract) to C-1/sc (Commercial/special contract) and C-1/H/sc (Commercial/Historic/special contract)
Proposed Use: Office warehouse

Property Owner: James R. Gonzalez
Representative: Ray Mancera

SURROUNDING ZONING AND LAND USE

North: A-2/sc (Apartment/special contract) and A-2/H/sc (Apartment/Historic/special contract)/ Vacant
South: A-2/sc (Apartment/special contract) and A-2/H/sc (Apartment/Historic/special contract)/ Vacant
East: R-F/H (Ranch and Farm/Historic) / Single-family dwelling and vacant; C-1/H (Commercial/Historic) / Vacant
West: A-2/sc (Apartment/special contract) / Vacant

PLAN EL PASO DESIGNATION: G-3, Post-War (Mission Valley Planning Area)

NEAREST PARK: Caribe Park (5,275 feet)

NEAREST SCHOOL: Socorro High School (6,107 feet)

NEIGHBORHOOD ASSOCIATIONS

There are no registered neighborhood associations in the area. This was verified through Community Development Department data on recognized neighborhood associations.

NEIGHBORHOOD INPUT

Notice of a Public Hearing was mailed to all property owners within 300 feet of the subject property on September 10, 2014. The Planning Division has not received any phone calls or letters in support or opposition to the rezoning request.

CASE HISTORY

On December 15, 1981, City Council approved a rezoning request for the subject property from R-F (Ranch and Farm) to A-2/sc (Apartment/special contract) and imposed a condition by Ordinance No. 07384 (see Attachment 4, special contract) as follows:

No building permits shall be issued for any construction on the property until a subdivision plat of the property has been approved and filed for record.

The applicant may submit the subdivision application prior to submittal for building permits; the condition does not apply to the rezoning application.

The applicant will also be required to submit for Historic Landmark Commission review for any proposed new buildings prior to the approval of any building permit.

APPLICATION DESCRIPTION

The applicant is requesting to rezone the subject property from A-2/sc (Apartment/special contract) and A-2/H/sc (Apartment/Historic/special contract) to C-1/sc (Commercial/special contract) and C-1/H/sc (Commercial/Historic/ special contract) to allow for an office warehouse use. Office warehouses are not permitted in the A-2 (Apartment) zone district. The subject property is 0.9999 acres in size and is vacant. The conceptual site plan shows a 10-unit office warehouse building. Access to the subject property is proposed from Socorro Road.

PLANNING DIVISION RECOMMENDATION

The Planning Division recommends **approval** of rezoning the subject property from A-2/sc (Apartment/special contract) and A-2/H/sc (Apartment/Historic/special contract) to C-1/sc (Commercial/special contract) and C-1/H/sc (Commercial/Historic/ special contract). The recommendation is based on the compatibility with surrounding land use and existing C-1 (Commercial) zoned properties to the north and east of the subject property and compliance with the Plan El Paso land use designation, G-3, Post-War, Mission Valley Planning Area.

Plan El Paso- Future Land Use Map Designation

All applications for rezoning shall demonstrate compliance with the following criteria:

G-3, Post-War: This sector applies to transitional neighborhoods typically developed from the 1950s through the 1980s. Streets were laid out with curvilinear patterns without alleys and shopping centers are located at major intersections behind large parking lots. This sector is generally stable but would benefit from strategic suburban retrofits to supplement the limited housing stock and add missing civic and commercial uses.

The purpose of the C-1 (Commercial) district is to serve the needs of surrounding residential neighborhoods by providing compatible neighborhood convenience goods and services that serve day-to-day needs. The regulations of the districts will permit location of business and professional offices and retail category uses within adjacent residential areas of medium and high densities.

COMMENTS:

Planning Division - Transportation

TIA is not required.

Note:

All existing and/or proposed paths of travel (accessible sidewalks, wheelchair access curb ramps and driveways) located within public rights-of-way shall follow the City of El Paso Design Standards for Construction and be ADA/TAS compliant.

City Development Department – Building and Development Permitting

No objection to proposed rezoning. Prior to building permit submittal, the applicant will be required to submit for a Certificate of Appropriateness through the HLC all proposed construction will need to conform to all applicable building , ADA, and municipal codes.

City Development Department - Land Development

No objections.

Fire Department

The Fire Department has no objections to the rezoning case of PZRZ14-00039.

El Paso Water Utilities

EPWU does not object to this request.

Water:

There is an existing 6-inch diameter water main extending along Socorro Road that is available for service, the water main is located approximately 3.5-ft north from the center line of the right-of-way.

EPWU records indicate a 1-inch water meter serving the subject property. The service address for this meter is 9850 Socorro Road.

Sanitary Sewer:

There is an existing 8-inch diameter sanitary sewer main extending along Socorro Road, the sewer main is located approximately 57.5 ft south from the center line of the right-of-way. Said main dead-end approximately 272-ft east of Isaiah Street. A sewer main extension is required to provide sewer service to the subject property. The Owner/Developer is responsible for any necessary main extension cost.

General:

EPWU requires a new service application to provide additional service to the property. New service applications are available at 1154 Hawkins, 3rd floor and should be made 6 to 8 weeks in advance of construction to ensure water for construction work. A site plan, utility plan, grading and drainage plans, landscaping plan, the legal description of the property and a certificate-of-compliance are required at the time of application. Service will be provided in accordance with the current EPWU – PSB Rules and Regulations. The applicant is responsible for the costs of any necessary on-site and off-site extensions, relocations or adjustments of water and sanitary sewer lines and appurtenances.

Attachments:

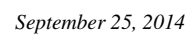
Attachment 1: Zoning Map

Attachment 2: Aerial Map

Attachment 3: Conceptual Site Plan

Attachment 4: Ordinance No. 07384, December 15, 1981

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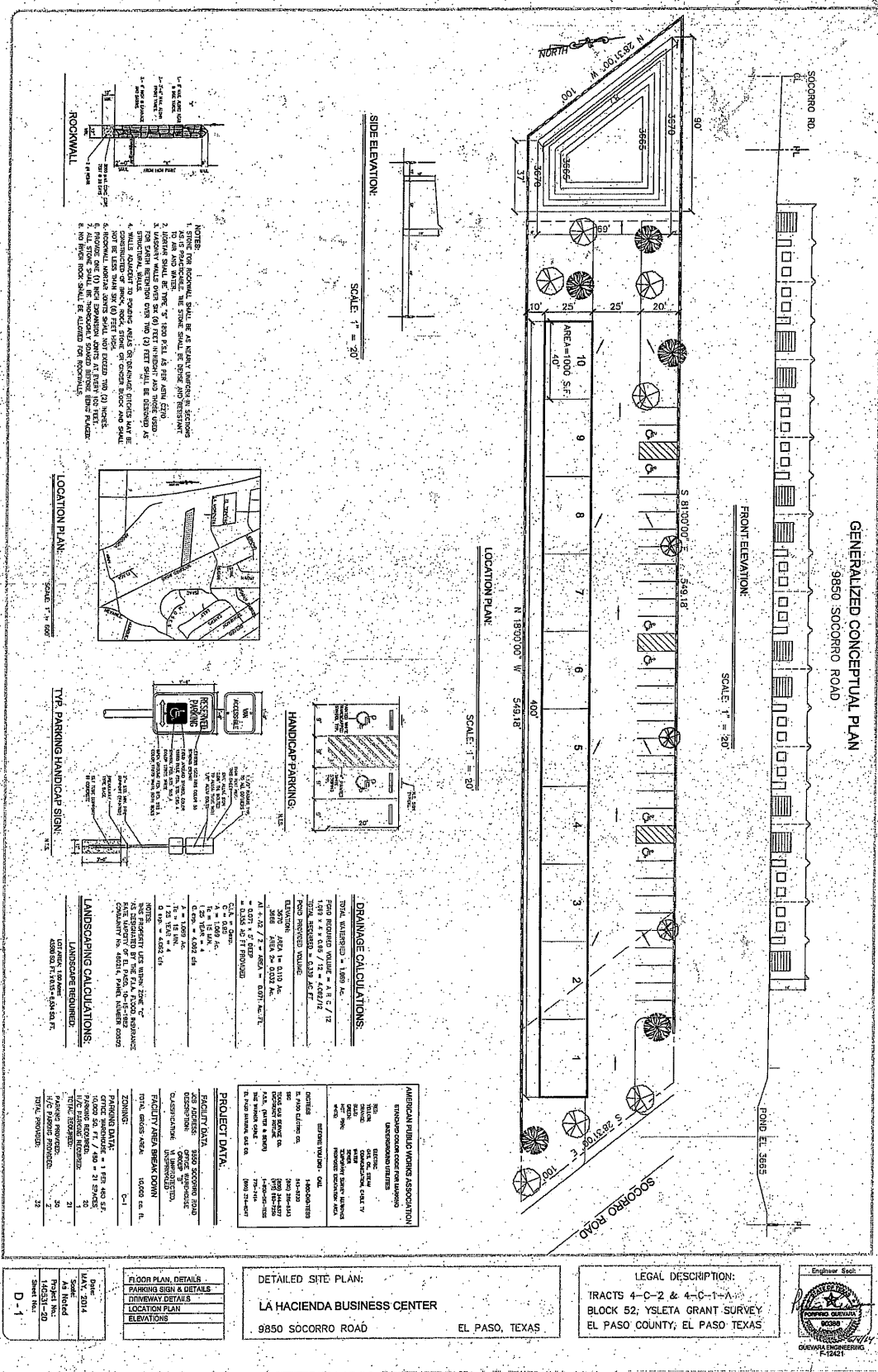


ATTACHMENT 2: AERIAL MAP

PZRZ14-00039



ATTACHMENT 3: CONCEPTUAL SITE PLAN



ATTACHMENT 4: ORDINANCE NO. 7384, DECEMBER 15, 1981

AN ORDINANCE CHANGING THE ZONING OF
TRACT 4C, BLOCK 52, YSLETA GRANT, THE
PENALTY BEING AS PROVIDED IN SECTION
25-96 OF THE EL PASO CITY CODE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the zoning of Tract 4C, Block 52, Ysleta Grant, as
more particularly described below, be changed to A-2 (Apartment)
District, within the meaning of the zoning ordinance and the
zoning map of the City be revised accordingly:

A portion of Tract 4, containing 9.340 acres, more or
less, Block 52, Ysleta Grant, El Paso County, Texas,
and being more particularly described by metes and
bounds as follows:

BEGINNING at the westerly common corner of Tracts 4 and
5B of said Block 52;

THENCE east a distance of 1230.74 feet along the boundary
line between said Tracts 4 and 5B to a point;

THENCE south 24°16'00" east a distance of 156.87 feet
to a point;

THENCE south 89°09'00" east a distance of 95.65 feet
to a point;

THENCE north 52°29'00" east a distance of 83.00 feet to
a point on the westerly line of Ysleta-Socorro Road;

THENCE south 28°31'00" east a distance of 411.73 feet
along the westerly line of Ysleta-Socorro Road to the
southeasterly corner of said Tract 4;

THENCE north 81°00'00" west a distance of 568.59 feet
along the boundary line between Tracts 2A and 4 of said
Block 52 to a point;

THENCE north 86°00'00" west a distance of 350.00 feet along
the boundary line between said Tracts 2A and 4 to a point
on the easterly boundary line of Tract 3A of said Block 52;

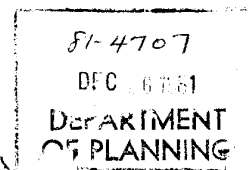
THENCE along the boundary line between said Tracts 3A and 4
the following courses:

North 06°44'00" west a distance of 48.00 feet to
a point;
North 17°54'00" west a distance of 94.00 feet to
a point;
North 78°37'00" west a distance of 102.00 feet to
a point;
North 88°19'00" west a distance of 144.00 feet to
a point;

THENCE north 25°23'00" east a distance of 5.00 feet to a
point;

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*Contract
dated 11/19/81*



THENCE north 89°41'10" west a distance of 423.54 feet to a point on the westerly boundary line of said Tract 4;

THENCE north 13°47'00" west a distance of 179.14 feet along the westerly boundary line of said Tract 4 to the point of beginning.

PASSED AND APPROVED this 15th day of December, 1981.

ATTEST:

William W. Rogers
City Clerk

Jonathan W. Rogers
Mayor

APPROVED AS TO FORM:

Steve R. R.
City Attorney

APPROVED AS TO CONTENT:

Raul Gonzalez
Planning Department

I certify that the zoning map has been revised to reflect the amendment of ordinance # 7394.
By R. Gonzalez Date 12-17-81

I CERTIFY THAT THE FOLLOWING ZONING MAPS HAVE BEEN REVISED: 2.D.
12-17-81 COUNTER
12-17-81 ORIGINAL
12-17-81 Bldg. Inspection
12-17-81 CONTROL R. Gonzalez

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CONTRACT

THIS CONTRACT, made this 19th day of November, 1981,
by and between ALBERT COCA and wife, RORY COCA, First Parties,
GRACE V. DAVIS and HARDY W. LEWIS, Second Parties, and the CITY
OF EL PASO, Third Party, witnesseseth:

Application has been made to the City of El Paso for rezoning
of Tract 4C, Block 52, Ysleta Grant, in the City of El Paso, El Paso
County, Texas, such property being more particularly described in
Ordinance No. 7384 now pending before the City Council of the
City of El Paso, a copy of which is attached hereto and made a
part hereof by reference. To remove certain objections to rezoning
of said property, First Parties covenant that if the property is
rezoned to A-2 (Apartment) District within the meaning of the
zoning ordinance of the City of El Paso, it shall be subject to
the following restriction, condition and covenant:

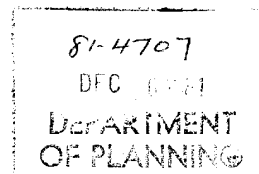
No building permits shall be issued for any construction on
the property until a subdivision plat of the property has been
approved and filed for record.

This contract is a restriction, condition and covenant running
with the land and a charge and servitude thereon, and shall bind
First Parties and their successors in title. Any future conveyance
of the land shall contain this restriction, condition and covenant
and shall embody this agreement by express reference.

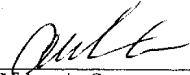
The City may enforce this contract by injunction or any other
legal or equitable remedy. The City Council of the City of El Paso
may release the above restriction, condition and covenant in its
discretion without the consent of any third person who may be benefited
thereby.

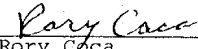
Second Parties are the owners and holders of recorded liens on
the above property and consent to this contract.

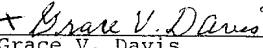
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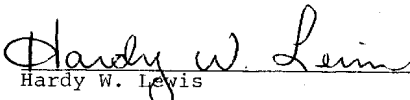


WITNESS the following signatures and seal:


Albert Coca



Rory Coca


Grace V. Davis


Hardy W. Lewis

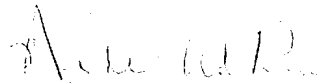
THE CITY OF EL PASO

ATTEST:

By 
Mayor


City Clerk

APPROVED AS TO FORM:


City Attorney

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 19th day
of November, 1981 by ALBERT COCA and wife, RORY COCA.

My Commission Expires:

2/28/85


Notary Public, State of Texas

THE STATE OF TEXAS)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 1st day
of Nov, 1981 by GRACE V. DAVIS.

My Commission Expires:

Nov. 19, 1985


Notary Public, State of Texas

81-4707
DFC
DEPARTMENT
OF PLANNING

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

This instrument was acknowledged before me on this 1st
day of Nov, 1981 by HARDY W. LEWIS.

My Commission Expires:

Nov. 19, 1985

Geraldine Outzy
Notary Public, State of Texas

THE STATE OF TEXAS)
)
COUNTY OF EL PASO)

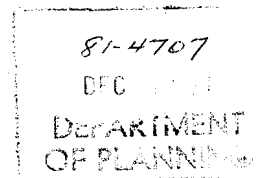
This instrument was acknowledged before me on this 15th day
of December, 1981 by JONATHAN W. ROGERS, as Mayor of the
City of El Paso.

My Commission Expires:

6/30/84

Billie Jean Brasham
Notary Public, State of Texas

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RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a contract with
ALBERT COCA, et al., placing certain restrictions, conditions
and covenants on the property being rezoned by Ordinance No.

7384.

ADOPTED this 15th day of December, 1981.

ATTEST:

W. H. Higgs
City Clerk

Jonathan W. Riquelme
Mayor

APPROVED AS TO FORM:

David A. Riquelme
City Attorney

